

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes July 15, 2010**

A subcommittee of the Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Thursday, July 15, 2010 at 1:00 P.M. Present were Acting Chairman Newbrook and Commissioners Walker, Dias and Jackson. Also present was Deputy Director Carol Marsella. The following cases were heard.

APPEAL #090135: Attorney George Comolli, for the property located at 101 Franklin Street in Westerly. Deputy State Fire Marshal Kaitlyn Foley appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Jackson, to recommend to the full Board that the Applicant be granted a time variance of thirty (30) days in which to have the Applicant submit plans to the State Fire Marshal's office for the correction of deficiency 7 of the February 19, 2009 inspection report for the addition of a second means of egress from the second floor of this facility. The subcommittee recommends granting an additional 120 days for the implementation of that plan of action, with authority being granted to the State Fire Marshal's office for the extension of either or both of the above deadlines for good faith efforts being shown by the Applicant. There was no objection by Deputy State Fire Marshal Kaitlyn Foley, provided that the above plans are submitted to her

office, and not to the Westerly Fire Department.

APPEAL #080272: South Shore Mental Health Center, for the property located at 4705 Old Post Road in Charlestown. DSFM Kaitlyn Foley appeared for the State Fire Marshal's office. Acting Chairman Newbrook recommended that a variance based on structural hardship be granted on the headroom issue in the conference room, provided the Applicant applies a fluorescent strip to the cited beam. Further, Acting Chairman Newbrook requested that this case be held over until July 20, 2010 in order that he might research the flame spread rating of the $\frac{3}{4}$ " paneling cited by the State Fire Marshal's office. Accordingly, this case will be heard by the full Board on July 20, 2010. It was determined by Acting Chairman Newbrook that the Applicant does not need to appear at that hearing, but Deputy State Fire Marshal Foley will be present.

APPEAL #080291: Mr. Brian Foster, for the property located at 251 Main Street in Exeter. DSFM Kaitlyn Foley appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Jackson, to recommend that the Applicant be granted a variance in order to allow him to maintain the cited commercial stove in this building as is, provided the stove is utilized for a maximum of three (3) times per year, only for warming of food, and provided that no grease laden vapors are produced from this warming. If the Applicant wishes to use the stove for more than the approved three (3) times per year, he must first notify the State Fire

Marshal's office to receive approval for the additional use. It should be noted that the building that houses the above cited stove is utilized primarily as an exercise area, and the stove is utilized only for food served at graduation exercises conducted in this building once per year.

APPEAL #090236: Mr. Michael Winitsky, for the property located at 413 Central Avenue in Pawtucket. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Jackson, to recommend the following relief to the full Board regarding the sprinkler system in the vacant second, third and fourth floors of this facility. (The system on the first floor appears to be in compliance.) The Applicant is directed to ensure that the sprinkler heads in the entire egress system of this facility should be fully compliant. The Applicant is directed to provide the State Fire Marshal's office with the details of a testing procedure for the sprinkler system in the unoccupied spaces, taking representative samples from each floor, with the first test being completed within thirty (30) days.

APPEAL #070004: Providence Community Action, for the property located at 16 Borinquen Street in Providence. Deputy State Fire Marshal Cynthia Dehler appeared for the State Fire Marshal's office and testified that the State no longer licenses a program at this location, and that it is the intention of the State Fire Marshal's office to turn over any further inspections of this facility to the Providence

Fire Marshal's office. Accordingly, Commissioner Walker made a motion, seconded by Commissioner Jackson, that the full Board close this file.

APPEAL #100226: Mr. Thomas Smith, for the property located at 42 Victor Street in Providence. Deputy State Fire Marshal Christine Kent appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Jackson, to recommend the following to the full Board. The Applicant is directed to send the test reports for the last year to the State Fire Marshal's office for the testing of the cited heat detectors. The Applicant is granted a time variance of thirty days to provide the State Fire Marshal's office with a plan of action for the replacement of the panic hardware on the cited interior stairway doors with fire exit hardware and an additional 120 days in which to implement that plan of action. The State Fire Marshal's office is granted the authority to extend either of the above deadlines for good faith efforts being shown by the Applicant. The subcommittee notes that the audio visual devices within this building still lack the three-pulse temporal fire alarm evacuation signals, but are within the time variance, currently in effect, until 2015 to comply.

APPEAL #080174: Sadwin Apartments, for the property located at 183 Elm Street in Woonsocket. DSFM Albert Heroux appeared for the State Fire Marshals' office. Commissioner Walker made a motion, seconded by Commissioners Dias and Jackson, to recommend to the full Board that in the areas above the suspended ceiling where heat

detection is required, that the Applicant be granted a time variance of thirty (30) days in which to provide a plan for the installation of detection to the State Fire Marshal's office and an additional 120 days for the installation of such detection, with authority being granted to the State Fire Marshal's office for the extension of either or both of the above deadlines for good faith efforts being shown by the Applicant. The Applicant may choose to either install line-type detection such as "detecto-wire" or in lieu of heat detection, may install sprinkler heads above the drop ceiling, at the direction and to the satisfaction of the State Fire Marshal's office.

All of the above subcommittee recommendations will be reviewed by the full Board at its hearing on July 20, 2010.

Respectfully submitted

Carol Marsella